

### **REMARKS**

Claims 1-7, 9-19 and 21-24 are pending in the application. Claims 1 and 13 have been amended herein, and claims 8 and 13 have been canceled. Favorable reconsideration of the application, as amended, is respectfully requested.

#### ***I. ALLOWABLE SUBJECT MATTER***

Applicants acknowledge with appreciation the indicated allowability of claims 10-12 and 22-24. These claims will be in condition for allowance upon being amended to independent form.

#### ***II. REJECTION OF CLAIMS 1, 2, 4-9, 13, 14 AND 16-21 UNDER 35 USC §102(b)***

Claims 1, 2, 4-9, 13, 14 and 16-21 stand rejected under 35 USC §102(b) based on *Tasaka et al.* Applicants respectfully request withdrawal of the rejection for at least the following reasons.

Claims 1 and 13 have been amended to incorporate the features of now canceled claims 8 and 20, respectively. Specifically, claims 1 and 13 have been amended to recite “wherein the reproduction signal is a signal obtained by reproducing an arbitrary random signal sequence”.

As is described in the present application, an edge shift amount is measured by reproducing an arbitrary random signal without recording a particular repetition pattern. By changing a parameter of a recording pattern based on the edge shift amount, optimum recording compensation is performed based on a disc, thereby making it possible to improve recording/reproduction characteristics of a disc. In addition, recording pattern can be reduced, whereby a recording/reproduction apparatus can be simplified to a large extent. (See, e.g., Spec., p. 12, Ins. 17-26).

Thus, the invention makes possible the advantages of providing a recording/reproduction method with which a random signal is recorded without limiting to particular repetition patterns and a parameter of a recording pulse is changed based on a reproduction signal reproduced from the signal; and a recording/reproduction apparatus in which data can be optimally recorded even when the disc structure, the composition type of a recording film, and the type of a recording medium (e.g., rewritable recording medium and a write-once recording medium) vary. (See, e.g., Spec., p. 12, ln. 28 to p. 13, ln. 4).

The Examiner rejects claims 8 and 20, now incorporated into amended claims 1 and 13, on the basis that *Tasaka et al.* teaches “the test recording marks are an arbitrary random signal sequence”. Specifically, the Examiner refers to Fig. 23 and Column 9, lines 2-8 of *Tasaka et al.* as teaching the test recording marks being an arbitrary random signal sequence. Applicants respectfully disagree for at least the following reasons.

Initially, applicants note that the Examiner refers to Column 9, lines 2-8 of *Tasaka et al.* as teaching “the test recording marks are an arbitrary random signal sequence”. However, applicants respectfully submit that there is nothing whatsoever in the cited text that is understood to refer to any type of arbitrary random signal sequence.

Rather, *Tasaka et al.* teaches “the recording pattern-determination section 8 outputs a predetermined test recording pattern d8”. (Emphasis added; see, e.g., Col. 8, lns. 56-58; Col. 37, lns. 12-14, and Col. 39, lns. 8-9). *Tasaka et al.* teaches “a train of recording marks corresponding to the test recording pattern (namely test recording marks) is formed in a power calibration area (PCA) on the optical disk D”. (Emphasis added; see, e.g., col. 8, ln. 66 to col. 9, ln. 2).

In fact, throughout *Tasaka et al.* it is taught that signals are reproduced “from predetermined test recording marks”, or that the OPC comprises a substep of “converting a predetermined test recording pattern into a test recording pulse”, or that the “PCA is an area where a predetermined test pattern is written”, or that “the

recording-pattern-determination section 8 further stores a predetermined test pattern in an internal memory”.

In other words, it is clear that the test recording pattern of *Tasaka et al.*, being predetermined, would not be either arbitrary or random as recited in amended claims 1 and 13. Thus, *Tasaka et al.* does not teach or suggest the invention recited in amended claims 1 and 13.

Accordingly, applicants respectfully request the withdrawal of the rejection of claims 1 and 13, together with the rejection of the claims dependent therefrom.

### **III. REJECTION OF CLAIMS 3 AND 15 UNDER 35 USC §103(a)**

Claims 3 and 15 stand rejected under 35 USC §103(a) based on *Tasaka et al.* in view of *Nakajima et al.* Applicants respectfully request withdrawal this rejection for at least the following reasons.

Claims 3 and 15 depend from claims 1 and 13, respectively, and may be distinguished over the teachings of *Tasaka et al.* for at least the same reasons discussed above. Furthermore, *Nakajima et al.* does not make up for the above-discussed deficiencies in *Tasaka et al.*

Specifically, *Nakajima et al.* teaches that a random test pattern is undesirable as it requires a considerable amount of time. Instead, *Nakajima et al.* teaches that a test pattern may be randomly selected from a predetermined selection of test patterns. Such a predetermined selection of test patterns clearly is not “random and arbitrary” as recited in amended claims 1 and 13.

Accordingly, *Nakajima et al.* teaches directly away from the features of amended claims 1 and 13.

Applicants therefore respectfully request withdrawal of the rejection.

**IV. CONCLUSION**

Accordingly, all claims 1-7, 9-19 and 21-24 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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